

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**EXTERRAN ENERGY
SOLUTIONS, L.P.,**

Plaintiff,

VS.

**ACE AMERICAN INSURANCE
COMPANY**

Defendant.

C.A. NO. 09-1463

STIPULATION OF DISMISSAL

Plaintiff Exterran Energy Solutions, L.P., on behalf of it and its affiliates and subsidiaries, (“Exterran”) and Defendant Ace American Insurance Company (“ACE”) file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(ii).

1. Exterran filed suit against ACE on May 14, 2009.
2. Exterran moves to dismiss the suit.
3. ACE, who has answered, agrees to the dismissal.
4. This case is not a class action.
5. A receiver has not been appointed in this action.
6. This case is not governed by any federal statute that requires an order of the court

for dismissal of the case.

7. Exterran has not dismissed an action based on or including the same claims as those presented in this suit.
8. This dismissal is with prejudice.

Dated: October 28, 2009

Respectfully submitted,

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/s/ Lucas T. Elliot

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CERTIFICATE OF SERVICE

I certify that on October 28, 2009, all counsel of record were served with the foregoing through the Court's CM/ECF system under Local Rule 5.1.

/s/ Lucas T. Elliot
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